

Application No.: 10/769,532  
Amendment and Response dated May 4, 2006  
Reply to Office Action of March 6, 2006  
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**Remarks/Arguments:**

**Introduction**

Claims 1-19 and 21-35 are pending. Claims 22-35 are withdrawn from consideration. Claim 20 has been canceled.

Claims 1 and 22 have been amended to further define that the graft body section comprises at least one inflatable cuff disposed at the distal end or the proximal end of the graft body section. Support for these amendments may be found in the specification at paragraph [0014], in particular at lines 10-12 thereat, and in particular in originally filed claim 20.

**Section 102 Rejections**

Claims 1-9, 16, 19 and 21 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent Application Publication No. 2002/0103527 to Kocur et al. (hereinafter “Kocur”). Applicants respectfully traverse.

With respect to independent claim 1, Kocur fails to disclose, *inter alia*, a graft comprising at least one inflatable porous channel and at least one inflatable cuff disposed at the distal end or the proximal end of the graft body section, and an inflation medium configured to be introduced into the inflatable channel. Kocur merely describes its one channel 15 as being a single channel longitudinally extending along the length of its device (see FIGS. 1A-1D) or being one circumferential channel disposed at the middle of its device (see FIG. 2).

Thus, reconsideration and withdrawal of the rejection of claim 1, and all claims dependent therefrom are respectfully requested.

With respect to independent claim 21, Kocur fails to disclose, *inter alia*, a graft comprising, *inter alia*, a connector member affixed to the proximal or distal end of the graft body section, where the connector member comprises one or more connector elements, and a stent

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comprising one or more proximal stent connector elements coupled to the one or more connector member connector elements. The stent of Kocur is depicted as being disposed along the entire longitudinal length of its device. (see, e.g., FIGS. 1A-4A). Thus, Kocur fails to disclose, *inter alia*, a graft comprising, *inter alia*, a connector member affixed to the proximal or distal end of the graft body section, where the connector member comprises one or more connector elements, and a stent comprising one or more proximal stent connector elements coupled to the one or more connector member connector elements.

Thus, reconsideration and withdrawal of the rejection of claim 21 is respectfully requested.

Thus, Kocur fails to disclose the subject invention as presently defined by independent claims 1 and 21. Therefore, reconsideration and withdrawal of the rejection of claims 1 and 21 under 35 U.S.C. §102(b), and all claims dependent therefrom, are respectfully requested.

### **Section 103 Rejections**

Claims 7 and 8 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over Kocur. Claim 20 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kocur in view of U.S. Patent Application No. 2002/0091440 to Calcote (hereinafter “Calcote”). Claims 10, 12-15 and 17-18 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kocur in view of U.S. Patent No. 6,051,648 to Rhee et al. (hereinafter “Rhee”). Claims 10-11 and 13-15 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kocur in view of U.S. Patent No. 6,663,662 to Pacetti et al. (hereinafter “Pacetti”). Applicants respectfully traverse.

As described above, Kocur fails to teach or suggest, *inter alia*, a graft comprising at least one inflatable porous channel and at least one inflatable cuff disposed at the distal end or the proximal end of the graft body section, and an inflation medium configured to be introduced into the inflatable channel. Rhee and Pacetti, individually or in combination, fail to

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cure the deficiencies of Kocur as these references fail to teach or suggest, *inter alia*, at least one inflatable cuff disposed at the distal end or the proximal end of the graft body section.

Calcote teaches away from the inflatable porous channel of the present claims because Calcote contrasts its channels from tubular beads of the prior art used for supporting or reinforcing of ePTFE grafts. (Calcote, paragraph [0006], lines 11-15). In contrast, the inflatable cuff of the present invention is useful for, *inter alia*, when inflated, providing support of the graft and/or providing a conformable surface to seal the graft against leaks. (See, e.g., Specification paragraph [0014]). The cutaway or partially cutaway channels of Calcote cannot provide such features of support and/or sealing because they are open channels. Further, while the open channels of Calcote may be injectable with a therapeutic agent, such open and cutaway channels cannot be inflatable because of their open nature. (See, e.g., Calcote, FIG. 2). Thus, the cutaway channels of Calcote have a different intent, function and purpose than the inflatable cuff of the present invention. Accordingly, Calcote teaches away from the present invention and cannot be properly used in attempting to present a *prima facie* case of obviousness.

Moreover, assuming *arguendo* that the channel of Kocur is inflatable, then Kocur and Calcote may not be properly combined in an attempt to arrive at the present invention. The cutaway channel and/or cuff of Calcote would make the “inflatable” channel of Kocur inoperable. Such an inoperable combination cannot form a *prima facie* case of obviousness. In other words, the combination of Kocur and Calcote result in an injectable channel and/or

Thus, Kocur, Calcote, Rhee and Pacetti, individually or in combination, fail to teach or suggest the subject invention as presently defined by independent claims 1 and 21 because the references fail to teach or suggest, individually or in combination, a graft comprising the porous inflation channel as presently defined within the independent claims. Therefore, reconsideration and withdrawal of all claim rejections under 35 U.S.C. §103(a) are respectfully requested.

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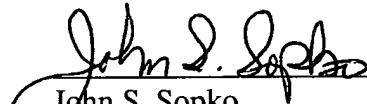
**Summary**

Therefore, Applicants respectfully submit that independent claims 1 and 21, and all claims dependent therefrom, are patentably distinct. Further, reentry and allowance of withdrawn claims 22-35 are respectfully requested. This application is believed to be in condition for allowance. Favorable action thereon is therefore respectfully solicited.

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number given below.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Respectfully submitted,

  
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